

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kaiser *et al.*

Serial No.:

Filed:

Entitled:

Group No.:

Examiner:

IMPROVED CLEAVAGE AGENTS

#5/Pre-Amend.  
A  
4/8/02 ENT

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: October 6, 2000

By:

Mary Ellen Waite  
Mary Ellen Waite

Sir:

The following communication is responsive to the Restriction Requirement in the Office Action mailed May 9, 2000 for patent application serial number 09/308,825. In the restriction requirement, the Examiner restricted the claims into three groups: Group I, Claims 1, 2, 6, 7, 22-26, and 46-52; Group II, Claims 3-5 and 8-21; and Group III, Claims 27-45. Applicants elected group I for prosecution with patent application serial number 09/308,825. The present Divisional Application is directed to the claims in Group III (*i.e.*, Claims 27-45).

IN THE CLAIMS

Please cancel Claims 1-52.

Please add the following claims:

53. A method for treating nucleic acid, comprising:

a) providing:

- i) a purified archael FEN-1 endonuclease; and
- ii) a nucleic acid substrate;

A1